

MESSAGE NO: 6122119 MESSAGE DATE: 05/01/1996

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-122-401, A-122-506, A-423-077,
A-427-030, A-427-078, A-427-812

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/01/1994 TO 05/31/1995

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NON REVIEW AUTOMATIC LIQUIDATION INSTRUCTIONS

MESSAGE NO: 6122119

DATE: 05 01 1996

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 423 - 077

A - 122 - 506

A - 122 - 401

A - 427 - 812

A - 427 - 030

A - 427 - 078

PERIOD COVERED: 06 01 1994 TO 05 31 1995

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, TECHNICAL PROGRAMS

RE: NON REVIEW AUTOMATIC LIQUIDATION INSTRUCTIONS

1. THE DEPARTMENT OF COMMERCE NO LONGER AUTOMATICALLY CONDUCTS ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY FINDINGS/ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 353.22 OF THE COMMERCE REGULATIONS.
 2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR THE PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 353.22(e) OF THE COMMERCE DEPARTMENT
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REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR
CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT
ON THE DATE OF ENTRY SUMMARY.

SUGAR FROM BELGIUM PERIOD

A-423-077

LIQUIDATE ALL ENTRIES FOR ALL FIRMS 06/01/94 - 05/31/95

OIL COUNTRY TUBULAR GOODS FROM CANADA PERIOD

A-122-506

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 06/01/94 - 05/31/95

IPSCO, INC.

RED RASPBERRIES FROM CANADA PERIOD

A-122-401

LIQUIDATE ALL ENTRIES FOR ALL FIRMS 06/01/94 - 05/31/95

CALCIUM ALUMINATE FLUX FROM FRANCE PERIOD

A-427-812

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 06/15//94 - 05/31/95

LAFARGE FONDU INTERNATIONAL

LARGE POWER TRANSFORMERS FROM FRANCE PERIOD

A-427-030

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 06/01/94 - 05/31/95

JEUMONT SCHNEIDER

SUGAR FROM FRANCE PERIOD

A-427-078

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 06/01/94 - 05/31/95

BOIRON-BORNEMAN, INC.

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE

LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ADMINISTRATIVE REVIEW, CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

4. THESE INSTRUCTIONS CONSTITUTES THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRY SUMMARIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.
5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES PRIOR TO THE DATE OF THE ANTIDUMPING DUTY ORDER. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION.

THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY SUMMARY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER

FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29)
FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATIONS,
CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE
ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY
CUSTOMS OFFICERS PLEASE CONTACT VIA E-MAIL, THROUGH
THE APPROPRIATE SUPERVISORY CHANNELS, TECHNICAL PROGRAMS,
ANTIDUMPING/COUNTERVAILING DUTY, USING ATTRIBUTE
ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC
AND OTHER INTERESTED PARTIES SHOULD CONTACT THE
ANALYST IN CHARGE OF THE CASE ON (202) 482-5253, OFFICE OF
ANTIDUMPING COMPLIANCE, INTERNATIONAL TRADE
ADMINISTRATION, DEPARTMENT OF COMMERCE.
8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party